

By Scott Stewart and Fred Burton

Seven men accused by U.S. authorities of belonging to a militant cell appeared in U.S. District Court in Raleigh, N.C., for a detention hearing Aug. 4. The hearing turned out to be very lengthy and had to be continued Aug. 5, when the judge ordered the men to remain in government custody until their trial. The seven men, along with an eighth who is not currently in U.S. custody, have been charged with, among other things, conspiring to provide material support to terrorists and conspiracy to murder, kidnap, maim and injure persons in a foreign country.

According to the grand jury indictment filed in the case, one defendant, Daniel Boyd (also known as "Saifullah," Arabic for "the sword of Allah"), is a Muslim convert who was in Pakistan and Afghanistan from 1989 to 1991 attending militant training camps. The indictment also states that Boyd fought in Afghanistan against the Soviet Union, though we must note that, because the Soviets completed their withdrawal from Afghanistan in February 1989, it is more likely that any combat Boyd saw in Afghanistan was probably against Soviet-backed Afghan forces during the civil war waged by Islamist militants against the Democratic Republic of Afghanistan. The Democratic Republic of Afghanistan (a socialist state and Soviet ally) was overthrown by Islamist forces in 1992.

Islamist veterans of that war in Afghanistan are held in reverence by some in the Muslim community, tend to be afforded a romanticized mystique, and are considered to be victorious mujahideen, or "holy warriors," who defeated the Soviets and their communist (and atheistic) Afghan allies. The grand jury indictment implies that Boyd used the prestige of his history in Pakistan and Afghanistan to influence and recruit others to participate in militant struggles abroad. It also charges that he helped train men inside the United States to fight in battles abroad and that he helped them attempt to travel to conflict zones for the purpose of engaging in militant activities such as guerrilla warfare and terrorist operations.

An examination of the indictment in the Boyd case reveals that the facts outlined by the government allow for a large number of parallels to be drawn between this case and other grassroots plots and attacks. The indictment also highlights a number of other trends that have been evident for some time now. We anticipate that future court proceedings in the Boyd case will produce even more interesting information, so STRATFOR will be following the case closely.

Homegrown Jihadists

As STRATFOR has noted for several years now, the threat from al Qaeda and its jihadist militant spawn has been changing, and in fact has devolved to pre-9/11 operational models. With al Qaeda's structure under continual attack and no regional al Qaeda franchise groups in the Western Hemisphere, perhaps the most pressing jihadist threat to the U.S. homeland at

present stems from grassroots jihadists. This trend has been borne out by the large number of plots and arrests over the past several years, including:

- * A June 2009 attack against a U.S. military recruiting office in Little Rock, Ark.
- * A May 2009 plot to bomb Jewish targets in the Bronx and shoot down a military aircraft at an Air National Guard base in Newburgh, N.Y.
- * The August 2007 arrests of two men found with an improvised explosive device in their car near Goose Creek, S.C.
- * A May 2007 plot to attack U.S. soldiers at Fort Dix, N.J.
- * A June 2006 plot to attack targets in the United States and Canada involving two men from Georgia.
- * A June 2006 plot to bomb the Sears Tower in Chicago involving seven men from Miami.
- * The July 2005 arrests in Torrance, Calif., of a group of men planning to attack a list of targets that included the El Al airline ticket counter at Los Angeles International Airport, synagogues, California National Guard armories, and U.S. Army recruiting stations.

And now the organization led by Daniel Boyd.

We are listing the Boyd group as a grassroots cell because it appears to have only dated or tangential connections to the larger jihadist movement, though members of the group appear to have attempted to initiate stronger contact with other jihadist players. According to the indictment in the Boyd case, Daniel Boyd, his two sons and two other associates were largely unsuccessful in their attempts to link up with militant groups in Gaza to fight against the Israelis. One of Boyd's associates, Hysen Sherifi, appears to have had a little more success establishing contact with militant groups in Kosovo, and another associate, Jude Kenan Mohammad, attempted to travel to camps on the Pakistani-Afghan border. (Some reports indicate that Mohammad may have been arrested in Pakistan shortly after his arrival there in October 2008, although his current whereabouts are unknown.)

A Known Quantity

Information released during the Aug. 4 detention hearing indicated that Boyd also attended training camps in Connecticut in the 1980s — an indication, perhaps, that he was then connected to the al Qaeda-linked "Brooklyn Jihad Office" (formally known as the al-Kifah Refugee Center), which trained aspiring jihadists at shooting ranges in New York, Pennsylvania and Connecticut before sending them on to fight in Afghanistan and elsewhere.

According to some reports, Boyd and his brother Charles (also a Muslim convert) were arrested in Pakistan in 1991 and charged with bank robbery. The Boyd brothers were initially sentenced by a Pakistani court to have a hand and a foot amputated as punishment, but they were

pardoned by a Pakistani court in October 1991 and deported. It is not clear whether the Boyds were guilty of the bank robbery, but interestingly, in a recording introduced during the detention hearing, Boyd could be heard saying that militant operations could be financed by robbing banks and armored cars, lending credence to the charge.

Due to Boyd's activities in Afghanistan and Pakistan he was likely known to U.S. counterterrorism officials — there were many Americans who fought as jihadists in Afghanistan but very few were blond-haired, as Boyd is, and he would have garnered additional attention. The chance of his being on the U.S. government's radar dramatically increased due to his alleged involvement in jihadist training inside the United States and his arrest in Pakistan. It is therefore not surprising to see that Boyd had been under heavy scrutiny, and evidence produced so far appears to indicate that not only was he under electronic surveillance but the FBI had also placed at least one confidential informant within his circle of confidants, or somehow recruited one of his associates to serve as an informant.

This government scrutiny of Boyd may also explain the problems he and his co-conspirators experienced when they tried to travel to Gaza to link up with militants there. The Americans likely tipped off the Israelis. This would also explain why Boyd was questioned by American authorities twice upon his return to the United States from Israel. Boyd has been charged in the indictment with two counts of making false statements to government agents during these interviews.

Parallels

In many ways, the activities of Boyd's group closely mirror those of the group of jihadists in New York that would go on to assassinate Rabbi Meir Kahane in Manhattan in 1990, help bomb the World Trade Center in February 1993 and attempt to attack other New York landmarks in July 1993. The members of that New York organization were very involved with firearms training inside the United States and many of them traveled overseas to fight.

It was this overseas travel (and their association with Sheikh Omar Ali Ahmed Abdul-Rahman, also known as the "Blind Sheikh") that allowed them to link up with the nascent al Qaeda network in Afghanistan. Bin Laden and company would later assign a pair of trained operational commanders and bombmakers from Afghanistan, Abdel Basit and Ahmed Ajaj, to travel to the United States to help the New York group conduct the 1993 World Trade Center bombing.

One huge difference between the Boyd case and the 1993 New York cases is the legal environment. Prior to the 1993 World Trade Center bombing, there were no "terrorism" statutes concerning the use of weapons of mass destruction or acts of terrorism transcending national borders. Instead, prosecutors in terrorism cases struggled to apply existing laws. The defendants in the 1993 New York landmarks bomb-plot case were not charged with conspiring to build bombs or commit acts of international terrorism. Rather, they were convicted on the charge of seditious conspiracy — a very old statute without a lot of case law and precedent — along with a hodgepodge of other charges. This made the case extremely challenging to prosecute.

Because of cases like the 1993 World Trade Center bombing and the trial of the Blind Sheikh and his co-conspirators, that legal environment has changed dramatically. As highlighted in the Boyd case, today there are not only laws pertaining to terrorist attacks that have been completed, but prosecutors now can charge defendants with providing material support to terrorists (18 USC section 2339 A), or with conspiring to kill, kidnap, maim or injure persons outside the United States (18 USC section 956 [a]).

Following 9/11, the PATRIOT Act amended many statutes in order to ease the prosecution of terrorist crimes and stop them before people were harmed. For example, the definition of "material support" in the statute (18 USC section 2339 A) was changed to include providing "expert advice or assistance" and "monetary instruments." Such charges are far easier to prove in court than seditious conspiracy.

Before these legal changes, agents and police officers assigned to the joint terrorism task forces investigating the cases and the assistant U.S. attorneys they coordinated with needed to have all the goods on a suspect before proceeding to act on a terrorism case. (It was, quite frankly, easier to prosecute a terrorist case after the attack had been conducted, and the authorities didn't want to risk losing the case in court. This often meant letting the conspiracy fully develop and get very close to action before authorities stepped in and interdicted the attack — a risky endeavor.) The newer terrorism laws mean that prosecutors can be far more proactive than they could be in the early 1990s, and this has allowed them to focus on prevention rather than prosecution after the fact.

One other interesting parallel between the Boyd case and the 1993 cases is the ethnic mix of militants involved in the plot. In the World Trade Center bombing, Egyptian and Palestinian jihadists worked with Pakistanis. In the follow-on July 1993 landmarks plot, there were Egyptians, Sudanese, an African-American and a Puerto Rican militant involved. In the Boyd case, we have Boyd and his sons, all Caucasian Americans, along with men from Kosovo, and Jude Kenan Mohammad, who appears to have a Pakistani father and American mother. Ethnic mixing also seems to be in play in the recent plot disrupted in Australia, where Somali militants were reputed to be working with Lebanese militants.

Ethnic mixing is not uncommon among Muslim communities in Western countries, just as Westerners tend to congregate in places like China or Saudi Arabia. Such mixing in a militant cell, then, reflects the composition of the radical Muslim community, which is a small component drawn from the overall Muslim population.

What Ifs

Because investigators and prosecutors in the Boyd case had the luxury of pursuing the prevention strategy, Boyd's cell did not have the opportunity to develop its conspiracy to a more mature form. This has caused some commentators to downplay the potential danger posed by the cell, pointing to its inability to link up with militant groups in Gaza and Pakistan.

However, it is important to remember that, although Boyd's cell was seemingly unable to make contact with major jihadist groups, it seems to have tried. Had it succeeded in making contact

with a major jihadist group — such as al Qaeda or one of its regional franchises — Boyd's group, like the 1993 New York cell, could have played an important part in launching an attack on U.S. soil, something the jihadists have been unable to do since 9/11. Hopefully the lessons learned from the 1993 plotters (who were also under heavy scrutiny prior to the first World Trade Center bombing) would have helped prevent the group from conducting such an attack even with outside help.

Frustration over not being able to conduct militant operations abroad appears to be another parallel with the plot recently thwarted in Australia. The Somalis and Lebanese arrested there reportedly were originally plotting to commit violence abroad. After being repeatedly thwarted, they decided instead to conduct attacks inside Australia. In some of the evidence released in the Boyd case detention hearing, Boyd could be heard saying that he would consider attacks inside the United States if he could not conduct militant operations abroad.

It is important to remember that even without assistance from a professional militant organization, Boyd and his followers were more than capable of conducting small-scale attacks that could have killed many people. In addition to the training conducted with Boyd, other members of the cell had reportedly attended a private academy in Nevada where they allegedly received training in survival, assassination, and escape and evasion.

At the time of his arrest, Daniel Boyd was carrying an FN Five-Seven pistol and his son Dylan Boyd was armed with a 9 mm pistol. According to the indictment, Boyd had purchased a rather extensive arsenal of weapons — certainly enough for the group to have conducted an armed assault-style attack. An FBI agent testified during the detention hearing that agents seized more than 27,000 rounds of ammunition (some armor-piercing) from the Boyd residence while executing a search warrant.

As STRATFOR has noted repeatedly, even seemingly unsophisticated "Kramer jihadists" can occasionally get lucky. Aggressive counterterrorism efforts since 9/11 have helped reduce the odds of such a lucky strike, but as we move further from 9/11, complacency, budget constraints and other factors have begun to erode counterterrorism programs.

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